

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

HADRIAN MUMPUKU,

Plaintiff,

v.

BRAD NEAL,

Defendant.

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CIVIL ACTION NO. 4:18-CV-00785
Judge Mazzant

ORDER

Pending before the Court is Defendant's Second Motion to Dismiss for Failure to Prosecute (Dkt. #106). Defendant asserts that Plaintiff's "persistent pattern of violations of discovery rules and orders" warrants dismissal (Dkt. #106 at p. 3). While the Court does not condone Plaintiff's actions throughout discovery, such actions have been sufficiently remedied through appointment of trial counsel for Plaintiff. Accordingly, and having considered the motion and the relevant pleadings, the Court finds that Defendant's motion should be **DENIED without prejudice**, subject to refiling.

IT IS SO ORDERED.

SIGNED this 19th day of August, 2021.


AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE